

MINUTES
SANDY CITY COUNCIL MEETING
Sandy City Hall - Council Chamber Room #211
10000 Centennial Parkway
Sandy, Utah 84070

November 28, 2006

Meeting was commenced at 7:05 p.m.

PRESENT:

Council Members: Chairwoman Linda Martinez Saville, Vice Chairman Dennis Tenney, Bryant Anderson, Scott Cowdell, Steve Fairbanks, Chris McCandless, and Stephen Smith

Others in Attendance: CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Police Chief Stephen Chapman; Administrative Services Director Art Hunter; Assistant CAO Scott Bond; Council Office Director Phil Glenn; Council Executive Secretary Pam Lehman

ABSENT/EXCUSED:

Mayor Tom Dolan [Vacation]

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Public Utilities Director Shane Pace**, and the Pledge was led by **Public Works Director Rick Smith**.

2. **CITIZEN(S) COMMENTS:**

a. There were no Citizen Comments.

PUBLIC HEARING(S):

3. **REAL Salt Lake Soccer Rezoning**

Public Hearing to consider a request submitted by Sports Capital Partners, to rezone approximately 7.53 acres from the R-1-40A "Residential District" to the RC "Regional Commercial District" located at approximately 9256 South State Street. The rezoning would help facilitate the development of an outdoor soccer stadium. The proposed use is considered a conditional use under the RC Zoning. In addition, the Sandy City Community Development Department is requesting that consideration be given to rezoning an additional 5.06 acres from the R-1-40A "Residential District" to the RC "Regional Commercial District". These parcels are located at approximately 146 West 9400 South and 9180 South State Street. (southwest corner of the property). This would bring the total acreage being requested to be rezoned to approximately 12.59 acres.

DISCUSSION: Planning Manager James Sorensen reported that the Sports Capital Partners are requesting to rezone approximately 7.53 acres from the R-1-40A "Residential District" to the RC "Regional Commercial District" located at approximately 9256 South State Street. The rezoning would help facilitate the development of an outdoor soccer stadium. The proposed use is considered a conditional use under the RC Zoning. The applicants are representing the property owner, who is Bonnie F. Miller Investments LTD.

In addition the Sandy City Community Development Department is requesting that consideration be given to rezoning an additional 5.06 acres from the R-1-40A "Residential District" to the RC "Regional Commercial District". These parcels are located at approximately 146 West 9400 South and at 9180 South State Street (southwest corner of the property). This would bring the total acreage being requested to be rezoned to approximately 12.59 acres. These parcels are owned by four different property owners.

The subject parcels were annexed into Sandy City between 1963 and 1978. As part of the annexations the parcels were zoned to the A-1 "Agricultural District". In 1990 as part of the City-wide Development Code Rezonings (K-Mart Super Block) much of the area was zoned to the RC District. However, the subject parcels were zoned to the R-1-40A District as 'holding' zones with the intent that these parcels would be rezoned to the RC District at a later date.

ANALYSIS

In October of 2003, the **90th South Gateway Master Plan** was adopted by the City Council. In developing the 90th South Gateway Master Plan the subject properties (Northwest corner of State Street and 9400 South) were identified as a key site, in that they represent some of the larger developable or redevelopable parcels in the study area. The site is a very **high visibility area** with the adjacent uses to the east being the Jordan Commons and the South Towne Exposition Center. Also, just to the south across 9400 South is the Becton Dickinson manufacturing facility, one of Sandy City's largest employers.

The plan states that this area has an emerging retail character that is closely tied to the **entertainment and leisure activity environment** of the Jordan Commons and the Exposition Center. The proposed soccer stadium as an outdoor recreational facility is **consistent with the entertainment theme** that has been established in this area. As this area continues to develop in the future beyond the proposed soccer stadium, a mixed-use development master plan for the area will be addressed.

The Sandy City Development Code states the following regarding the Regional Commercial District:

15-04-B Regional Commercial (RC)

The Regional Commercial District is established to stimulate economic development by allowing for a diversity of land uses in the area of Sandy City that are accessible to regional transportation facilities... This district is intended to stimulate creative development and site design for highway commercial users.

Rezoning the subject properties to the Regional Commercial District has been the intent for many years regardless of whether a soccer stadium is built or not. The subject parcels were zoned R-1-40A as "holding" zones and are **completely surrounded by RC Zoning**. Rezoning these parcels will allow this area to have a **consistent zoning** that will encourage development that will enhance this area both visually and economically. The subject parcel and any associated development will have access to **regional transportation facilities** such as State Street, 9000 South, I-15, and to the new light rail station at 9400 South and 150 East. This **new light rail station** was recently completed and will provide an important transportation alternative for people wishing to attend a soccer game or any other event that may take place in the area.

A neighborhood meeting was held on October 19, 2006. Comments from the meeting were related to rezoning issues, future expansions, access, transportation (traffic) and site improvements.

Staff feels that the RC Zone is the appropriate zone for the subject parcels at this time. If the proposed rezoning is approved, any development will still have to proceed through the site plan review process.

STAFF RECOMMENDATION

Staff, along with the Planning Commission, recommends that the proposed Real Salt Lake Rezoning of approximately 12.59 acres, including the parcels requested by the Sandy City Community Development Department be rezoned from the R-1-40A "Residential District" to the RC "Regional Commercial District" based on the following findings:

- i. The zone request is consistent with existing zoning and land uses proposed in the 90th South Gateway Master Plan adopted in October of 2003.
- ii. The proposed soccer stadium as an outdoor recreational facility is consistent with the entertainment theme that has been established in this area.
- iii. The subject parcel and any associated development will have access to regional transportation

facilities such as State Street, 9000 South, I-15, and to the new light rail station at 9400 South and 150 East.

- iv. The subject parcels were zoned to the R-1-40A District as 'holding' zones with the intent that these parcels would be rezoned to the RC District at a later date.
- v. Rezoning these parcels will allow this area to have a consistent zoning that will encourage development that will enhance this area both visually and economically.
- vi.

Chairwoman Saville opened the Public Hearing.

- a. **Julienne Olsen**, resident, asked if the City's web site had information for the public to access pertaining to the REAL Soccer Stadium rezone. She also expressed concern for the safety of children who walk along 9400 South to Mount Jordan Junior High and Jordan High School when construction begins on the soccer stadium. She asked if the City had a plan for mitigating safety concerns for residents and children living near the project. Also, if the construction entrance for the project was going to be located along 9400 South.

Community Development Director Mike Coulam reported that the Planning Commission has tentatively scheduled a hearing date on the site plan review for sometime in January. The developers will be submitting their first site plan to the Planning Department sometime this week. The residents surrounding the project will be notified when the hearing for site plan reviews goes before the Planning Commission. He reported that in the meantime, a grading permit can be issued to clear trees off of the property. Safety concerns will also be addressed during site plan reviews.

Scott Cowdell asked that a temporary pathway be included as part of the site plan review to make certain students and residents are protected from heavy equipment entering and existing the construction site.

Tim Soffe, Developer, stated that they are not certain where the construction entrance to the project will be located at this time until the project goes through the site plan review process.

- b. **Maggie Bagley**, representative for her mother who lives at 146 West 9400 South, expressed concern with how the proposed rezoning could affect the property taxes and value of her mother's property, also, if they would still be allowed to pasture horses on the property.

Mike Coulam stated that if animals have been on the property, they would have a legal non conforming status, and would be grand fathered into the zone.

Administrative Services Director Art Hunter explained that a zone change does not automatically increase the appraised value of a person's property. What causes taxes to increase is when a building permit is issued or when a periodic re-evaluation is done by the County. He noted that residential property values are currently higher than commercial property values. He stated that residents' property taxes should not change with the rezone.

Steve Smith asked where the City stands as far as the five year periodic tax assessment is concerned.

Art Hunter explained that the five year tax assessments are not as impactable as they once were since appraised values are bumped gradually each year instead of one big jump every five years or so.

As there were no further comments, Chairwoman Saville closed the Public Hearing.

Dennis Tenney stated that he felt comfortable with the zoning change. The Planning Commission will review concerns related to site plan issues in a very professional and through manner. He stated that "this will be a positive development for the City".

MOTION: **Dennis Tenney** made the motion to have documents bought back to rezone approximately 7.53

acres from the R-1-40A "Residential District" to the RC "Regional Commercial District" located at approximately 9256 South State Street to help facilitate the development of an outdoor soccer stadium. The proposed use is considered a conditional use under the RC Zoning. Also, to rezone an additional 5.06 acres from the R-1-40A "Residential District" to the RC "Regional Commercial District", located at approximately 146 West 9400 South and 9180 South State Street. (southwest corner of the property), bringing the total acreage to be rezoned to approximately 12.59 acres.

SECOND: Chris McCandless
VOTE: Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,
Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: All in Favor

COUNCIL ITEMS:

4. **Cottonwood Heights City/VECC**
Resolution #06-97 C - making Cottonwood Heights City a member of VECC (Valley Emergency Communications Center).

MOTION: Dennis Tenney made the motion to adopt **Resolution #06-97 C** making Cottonwood Heights a member of VECC [Valley Emergency Communications Center].

SECOND: Steve Smith

VOTE: Tenney- Yes, Smith - Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,
Anderson-Yes, Saville- Yes

Motion Approved: All in Favor

MINUTES:

5. **Approving the November 14, 2006 City Council Meeting Minutes.**

MOTION: Dennis Tenney made the motion to approve the November 14, 2006 City Council Meeting Minutes as written.

SECOND: Steve Fairbanks

VOTE: The Council responded verbally in the affirmative to the motion.

6 **MAYOR'S REPORT:**

- a. No Report was given.

7 **CAO'S REPORT:**

- a. CAO Byron Jorgenson presented a copy of the Departmental Briefs to the Council.

8 **COUNCIL OFFICE DIRECTOR'S REPORT:**

- a. Phil Glenn presented a copy of the updated monthly calendar. He also presented an e-mail from Lincoln Shurtz of the Utah League of Cities and Towns, regarding a discussion that was held at the last Utah League of Cities and Towns Policy Committee meeting regarding possible changes in the election statute. The two changes that were discussed were (1) Changes in the Primary Date for Municipal Elections (2) Establishing a reasonable Compensation Schedule if a Municipality Contracts to use the County's Electronic Voting Equipment. Mr. Glenn reported that election costs were three times higher this year with the new computerized systems compared to costs associated with the old voting system. There is also concern that the turn around time between an October Primary Election and a November General Election cannot be met in a timely manner with the new computerize voting system. The League is asking if the Cities would like to be involved in establishing legislation to make certain the County asks for reasonable compensation from cities to help cover these costs.

Linda Martinez Saville asked the Administration to discuss this issue further at next week's Council Meeting.

- b. **Mr. Glenn** presented another e-mail that was sent from the Utah Department of Transportation [UDOT] regarding transportation funding needs in the State. Mr. Glenn indicated that he would work with the Council Chairwoman to schedule a discussion with the Council during an upcoming Planning Meeting.
- c. **Phil Glenn** asked the Council members if they would stay after the Council meeting to sign documents pertaining to travel reconciliation.
- 9. **OTHER COUNCIL BUSINESS:**
 - a. **Steve Smith** asked the Administration to work with the various Department Heads in getting information, such as staff reports, traffic issues, etc., posted on the City's web-site in order for the public to have better access to information that would help alleviate some of their concerns.
 - b. **Scott Cowdell** referenced an article in The Salt Lake Tribune where a group of Draper City residents plan on collecting signatures to support putting UTA's proposed light-rail route along the east side of their city to a vote of the people. He indicated that if UTA should make changes to their proposed routes, an alternative route change would adversely affect Sandy residents especially if the Trax line is placed along 11400 South or along 10600 South and State Street. Mr. Cowdell felt that the City should not sit idle, and that a plan should be established and implemented insuring that an alternative route on the TRAX line does not adversely effect Sandy residents.

Steve Fairbanks indicated that UTA can basically do whatever they want. If enough signatures are collected, the City of Draper can then determine if the question is subject to referendum.

Byron Jorgenson indicated that a trax line running along 10600 South and State Street is not something the City would support. He stated that this item could be placed on an upcoming agenda for further discussion.
 - c. **Scott Cowdell** asked that Parks Director Nancy Shay be informed that the garbage receptacles along the Porter Rockwell Trail system need to be emptied on a regular basis.

At approximately 7:45 p.m., Steve Smith made a motion to adjourn Council Meeting, motion seconded by Dennis Tenney.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Linda Martinez Saville
Council Chairwoman

Pam Lehman
Council Office Executive Secretary